

THIRD DAY.

(Thursday, January 15, 1925.)

The House met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Hollowell.
Albritton.	Hoskins.
Alexander	Irwin.
of Bastrop.	Jacks.
Alexander	Jasper.
of Limestone.	Johnson.
Amsler.	Jones.
Atkinson.	Justice.
Baker of Orange.	Kayton.
Baker of Panola.	Kemble.
Barker.	Kenyon.
Barron.	King.
Bartlett.	Kinnear.
Bean.	Kittrell.
Bedford.	Laird.
Bird.	Lane of Hamilton.
Blount.	Lane of Harrison.
Bobbitt.	Lipscomb.
Boggs.	Loftin.
Bonham.	Low.
Brown.	Mankin.
Bryant.	Masterson.
Cade.	Maxwell.
Chitwood.	McBride.
Coffey.	McDonald.
Conway.	McDougald.
Coody.	McFarlane.
Covey.	McGill.
Cox of Lamar.	McKean.
Cox of Navarro.	McNatt.
Cummings.	Merritt.
Dale.	Montgomery.
Daniels.	Moore.
Davis of Dallas.	Nicholson.
Davis of Wood.	Parish.
DeBerry.	Pavlica.
Dielmann.	Pearce.
Dinkle.	Perdue.
Donnell.	Petsch.
Downs.	Poage.
Dunlap.	Pool.
Dunn of Falls.	Pope.
Dunn of Hopkins.	Powell.
Durham.	Purl.
Enderby.	Rawlins.
Farrar.	Raymer.
Faulk.	Renfro.
Fields.	Rice.
Finlay.	Robinson.
Foster.	Rogers.
Frnka.	Rowell.
Graves.	Rowland.
Gray.	Runge.
Hagaman.	Sanford.
Hall.	Sheats.
Harman.	Simmons.
Harper.	Simpson.
High.	Sinks.

Smith of Nueces.	Tomme.
Smith of Travis.	Veatch.
Sparks.	Wade.
Stautzenberger.	Walker.
Stell.	Wallace.
Stevens.	Webb.
Stevenson.	Wells.
Storey.	Westbrook.
Stout.	Wester.
Strong.	Williamson.
Taylor.	Wilson.
Teer.	Woodruff.
Thompson.	Young.

Absent.

Avis.	Florence.
Bateman.	Jordan.

Absent—Excused.

Carter.	Shearer.
Houston.	Smyth.
Hull.	

A quorum was announced present.
Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business:

Mr. Shearer for today, on motion of Mr. Walker.

Mr. Hull for today, on motion of Mr. Dielmann.

The following members were granted leave of absence on account of sickness:

Mr. Houston for today and tomorrow, on motion of Mr. McKean.

Mr. Carter for today, on motion of Mr. McKean.

Mr. Smyth for today, on motion of Mr. Jasper.

OATH OF OFFICE ADMINISTERED.

The Speaker stated that Hon. J. W. Stevenson of Victoria county, who was absent at the time of the organization of the House, was now present and that he would appoint Messrs. Sanford, Chitwood and Storey to escort him to the Speaker's stand to take the oath of office.

The committee having performed their duty, the constitutional oath of office was administered to him by the Speaker.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Foster:

H. B. No. 9, A bill to be entitled "An Act validating sales of public free school lands made by the Commissioner of the General Land Office between the years 1905 and 1919, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Foster:

H. B. No. 10, A bill to be entitled "An Act to provide for co-operation between the State of Texas and the United States Department of Agriculture in the destruction of rodent pests, prairie dogs, rats, pocket gophers and ground squirrels and predatory animals, coyotes, wolves, mountain lions, bobcats and other predatory animals; appropriating funds for such purposes, and declaring an emergency."

Referred to Committee on Federal Relations.

By Mr. Foster:

H. B. No. 11, A bill to be entitled "An Act authorizing and empowering the Governor of this State to appoint and commission as State Rangers the bona fide, salaried inspectors of the Texas and Southwestern Cattle Raisers' Association, and of the Sheep and Goat Raisers' Association of Texas; providing how such appointments shall be made; prescribing the qualifications of such appointees; shall receive no remuneration from the State, and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Bobbitt:

H. B. No. 12, A bill to be entitled "An Act authorizing the Rio Grande & Eagle Pass Railway Company to abandon Minera Station, the western terminal of said railway in Webb county, Texas, and 8000 feet of the main line track immediately southeast thereof, and, to take up and remove all tracks, bridges and culverts within the area, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Lane of Harrison:

H. B. No. 13, A bill to be entitled "An Act prohibiting the marriage of any person infected with syphilis; gonococcus infection or chancroid; requiring the male applicant for marriage license to submit certificate of any reputable practicing physician in this State showing applicant to be free from disease; fixing the maximum fee for examina-

tion; providing a penalty, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Webb:

H. B. No. 14, A bill to be entitled "An Act to define and prohibit bucket shops and dealings therein; to regulate contracts for future delivery of cotton, etc.; to declare under what conditions such contracts shall be valid; to prescribe penalties for the violation of this act; and to repeal Articles 538 and 537 of Chapter 2, Title 11, and all of Chapter 3, of Title 11, of the Revised Penal Code of the State of Texas."

Referred to Committee on Agriculture.

By Mr. Purl:

H. B. No. 15, A bill to be entitled "An Act to provide for the formation of corporations to contract for the performance of engineering services in making investigations, designs, estimates of costs, valuations and reports upon public or private utilities, improvements and industrial works; to supervise and direct their construction, enlargement or repair; and to perform such duties and acts as require engineering skill, experience and advice."

Referred to Committee on Municipal and Private Corporations.

By Mr. Irwin:

H. B. No. 16, A bill to be entitled "An Act to amend Section 1 of Chapter 5, of the General Laws of the First Called Session of the Thirty-third Legislature, relating to indeterminate sentences, the purpose of this amendment being to provide for the discharge of certain convicts under indeterminate sentences upon certain conditions, and providing that this act shall apply to convicts now serving indeterminate sentences in the penitentiary as well as to those who shall hereafter be sentenced to indeterminate terms of imprisonment in the penitentiary."

Referred to Committee on Criminal Jurisprudence.

By Mr. Laird:

H. B. No. 17, A bill to be entitled "An Act to amend Chapter 134 of the Thirty-seventh Legislature, Regular Session, prohibiting the ownership of land in Texas by persons of foreign birth who have not taken out naturalization papers; prohibiting the ownership of land in Texas by any firm, stock company or corporation, a majority of whose shares

or stock is held by persons of foreign birth who are not citizens of the United States; providing escheat in certain cases; prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts in conflict herewith."

Referred to Committee on Criminal Jurisprudence.

By Mr. Rowland:

H. B. No. 18, A bill to be entitled "An Act requiring parties against whom monetary judgments have been or may be rendered to file among the papers of the cause a sworn schedule of assets and certain past transfers of property and other information relative thereto, under certain conditions; and requiring such party and spouse and other witnesses to testify by deposition or before the court relative thereto, under certain conditions; declaring it an offense for such party to fail or refuse to comply with orders of the court in that behalf entered and fixing a penalty; declaring it an offense for such party or witnesses to fail or refuse to testify to pertinent matters within their knowledge, and fixing a penalty; providing for certain methods by which judgment debtor may avoid necessity of complying herewith; making the act applicable to past judgments; providing for adjudication of costs of proceedings hereunder; providing for summary judgment against sureties on bonds filed to avoid necessity of complying herewith, under certain conditions; declaring the legislative intent as to unconstitutionality of any portion hereof, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. McFarlane:

H. B. No. 19, A bill to be entitled "An Act reorganizing the Thirtieth Judicial District by amending subdivision 30, Article 30, of the Revised Statutes of 1911, as amended to hereinafter read as follows, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Kittrell:

H. B. No. 20, A bill to be entitled "An Act to amend Article 2078 of the Revised Civil Statutes of 1911 to provide for appeals and writs of error from orders granting motion for new trials, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Dielmann and others:

H. B. No. 21, A bill to be entitled "An Act to relinquish, quitclaim and

grant unto all incorporated cities and towns within the State of Texas beds and channels of all rivers, streams and other channels that are now or that may hereafter be within the present or future corporate limits of such incorporated cities and towns so far as such river beds, streams and other channels may be owned or claimed as the property of said State, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Cummings:

H. B. No. 22, A bill to be entitled "An Act to amend Section 1 of an act passed by the Thirty-eighth Legislature of Texas, and being Chapter 74 of the Acts of the Regular Session of the Thirty-eighth Legislature, constituting and organizing Courts of Civil Appeals therein; creating the Eleventh Supreme Judicial District of Texas, with Abilene as the site of said court; providing for the appointment and qualification of judges of said Eleventh Supreme Judicial District; and providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Eleventh Supreme Judicial District of Texas, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Williamson et al.:

H. B. No. 23, A bill to be entitled "An Act regulating the lights and lighting and operation of motor vehicles, tractors, trailers, semi-trailers, motorcycles and bicycles in this State; prescribing the lights for such vehicles between the hours of half-hour after sunset and half-hour before sunrise; enacting the necessary penal provisions as to lights for such vehicles and headlight devices and headlight equipment for such vehicles; providing for tests and approval of headlighting devices and equipment; prescribing penalties for the violation of the provisions of this act, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Barron:

H. B. No. 24, A bill to be entitled "An Act exempting from taxation institutions or organizations such as the Boy Scouts of America or local organizations of such a body, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Nicholson:

H. B. No. 25, A bill to be entitled "An Act creating and incorporating Common School District No. 16, of Jefferson county, Texas; defining and determining the boundaries of said school district; prescribing the manner of changing and modifying the boundaries of said school district; conferring upon said school district, except as otherwise provided in this act, all the rights, powers, privileges and duties as are conferred and imposed by the general laws of this State upon common school districts; providing for a board of district trustees and prescribing the qualifications for members thereof; continuing in office the district trustees of the previously existing common school district until the expiration of their respective terms of office and until their successors are elected and qualified under the general laws of this State; vesting the board of district trustees, except as otherwise provided in this act, with all the rights, powers, privileges and duties that are conferred and imposed by the general laws of this State upon district trustees of common school districts; vesting the management and control of the public free schools in said school district in a board of district trustees consisting of three members; providing that the board of district trustees shall be a body politic and corporate in law, may contract and be contracted with and may sue and be sued, and plead and be impleaded, and may receive any gift, grant, donation or devise for the use and benefit of the public free schools in said school district; vesting in said school district, its board of district trustees, and their successors in office, with absolute title to all property and school funds heretofore vested in and belonging to the previously existing common school district; validating all maintenance taxes heretofore voted and levied in said previously existing common school district and continuing the same in full force and effect until modified as provided in this act; validating all bonds issued and all bond taxes levied for and on behalf of said previously existing common school district; authorizing the issuance of bonds and limiting the rate of maintenance tax and the rate of bond tax that may be voted, levied, assessed and collected in said school district; prescribing the purposes for which maintenance taxes and bond taxes are authorized by this act and the disposition of the funds derived from said taxes; providing that this act shall not impair or invalidate

any bonds, contracts, obligations and debts of the previously existing common school district; providing that all the bonds, contracts, obligations and debts of said previously existing common school district shall constitute valid and binding obligations upon said school district as created by this act; providing that said school district shall assume, pay off and discharge all bonds, contracts, obligations and debts of said previously existing common school district; providing that this act shall, except as herein otherwise provided, be cumulative of all general laws of this State, applicable to common school districts, and that in case of conflict the provisions of this act will control; repealing all laws and parts of laws in so far as they are or may be in conflict with this act; providing that in case any clause, section or sections of this act shall be held by the courts to be ineffective or unconstitutional, such decision by the courts shall not affect or invalidate the remaining sections and provisions of this act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Nicholson:

H. B. No. 26, A bill to be entitled "An Act determining and fixing the annual salary of the county superintendent of public instruction of Jefferson county, Texas; providing for the payment of said salary; providing for the payment of office and traveling expenses, and declaring an emergency."

Referred to Committee on Education.

By Mr. Williamson:

H. B. No. 27, A bill to be entitled "An Act amending Chapter 127 of the General Laws of the Regular Session of the Thirty-sixth Legislature, relative to highway traffic officers, so as to require the wearing of uniforms by such officers and providing for the payment of salaries of such officers, and that no fees shall be charged for any service of such officer, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Merritt:

H. B. No. 28, A bill to be entitled "An Act to provide for the bonding of every person and every chauffeur operating, either directly or by agent, employee, or hired hand, or by any representative, any motor vehicle upon any public highway or thoroughfare in this

State for compensation, wages, or hire, said bond conditioned for the satisfaction of any judgment for damages growing out of the operation or business of operating said motor vehicle as set out herein; providing for the filing and approval of said bond and the recording of same and the payment of the recording fee; providing for the punishment for the violation of the provisions of this act."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Pool:

H. B. No. 29, A bill to be entitled "An Act to prevent untrue and damaging statements in reference to banks, banking institutions, trust companies, surety companies, guaranty companies, title insurance companies, or other financial institutions; providing the necessary penalties to accomplish such purpose, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Downs and Mr. Bean:

H. B. No. 30, A bill to be entitled "An Act making it a misdemeanor punishable by fine of not less than \$25 nor more than \$100 for any person to kill in any manner any wild male or female deer in the counties of San Augustine, Sabine, Newton and Jasper at any time within five years from the date on which this act goes into effect."

Referred to Committee on Game and Fisheries.

By Mr. Jacks, Mr. Baker of Orange and Mr. Montgomery:

H. B. No. 31, A bill to be entitled "An Act authorizing cities and towns to establish and maintain municipal bands, and to appropriate funds of the municipality for that purpose; providing for referendum elections by the qualified property tax-paying voters of cities and towns to determine whether or not such band shall be established and maintained; authorizing the governing body of cities and towns to pass ordinances and resolutions and enter into contracts for the organization, maintenance, operation and control of such bands; exempting charters already existing from the provisions hereof; repealing laws in conflict herewith, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Baker of Orange:

H. B. No. 32, A bill to be entitled "An Act making an appropriation to pay the mileage and per diem of the Presidential Electors of Texas for the year 1925, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. McGill:

H. B. No. 33, A bill to be entitled "An Act authorizing the Governor to appoint a commission to represent the State of Texas in a conference with the Commissioners from the States of New Mexico and Colorado, and a representative of the Government of the United States to negotiate an agreement respecting the use, control and disposition of the waters of the Rio Grande and its tributaries above Fort Quitman, Texas, prescribing the authority and duties of such commission, authorizing the co-operation of certain officers of the State, authorizing the accumulation of engineering and other data pertinent thereto, prescribing the method of reaching such an agreement, and submitting it to the Legislature for ratification, making an appropriation to carry out the purpose of this act, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Robinson:

H. B. No. 34, A bill to be entitled "An Act to regulate the driving or propelling of any automobile or automobile truck or other motor driven vehicle upon any railroad track at public highways or municipal streets intersecting such railroad at grade crossings; fixing a penalty therefor; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Teer:

H. B. No. 35, A bill to be entitled "An Act providing for uniformity and equalization of taxation; conferring upon the State Tax Board general supervision over the administration of the laws relating to taxation and over assessors and collectors of taxes and county commissioners courts sitting as boards of equalization to the end that assessments of all classes of property for purposes of State taxation shall be made relatively just and equal in the several counties of the State; providing for the review by such State Tax Board of the aggregate assessments of the va-

rious classes of property in the several counties and empowering it to raise or lower the valuation of any and all classes of property in any county or counties for purpose of State taxation; prescribing the duties of tax assessors and collectors and the county judge and county commissioners with reference to equalization for purposes of State taxes; providing for a hearing and notice by the county board of equalization before carrying into effect the orders of the State Tax Board with reference to valuations; authorizing the county commissioners court to adopt the valuation fixed in compliance with the orders of the State Tax Board for purposes of taxes other than State taxes and permitting it to adopt a different valuation for purposes of State taxes if it elect to do so; enacting provisions necessary and incident to the subject and purpose of the act; amending Articles 7580 and 7350 of the Revised Civil Statutes of Texas; making the necessary changes in the laws relating to duties of tax assessors, tax collectors and county boards of equalization and specifying and fixing rates for the performance thereof, so as to carry into effect the provisions of the act; requiring the tax collector in assessing taxes under provisions of law authorizing him to do so, to conform to the orders and instructions of the State Tax Board, and making it lawful for tax collectors to collect any State taxes or other taxes until there has been delivered to them a tax roll in which the State taxes show to have been extended on valuations complying with the orders of the State Tax Board; providing the mandamus suits by the State Tax Board and prescribing procedure therein and rules governing appeals therefrom; extending time for payments of taxes without penalty if rolls are not completed by the end of the year; authorizing the State Tax Board to prescribe forms, and to require descriptions of real estate, and to require that improvements be listed separately from lands and lots on which they are situated in making assessments; providing for the removal of any member of the State Tax Board, assessor or collector of taxes, or county judge or county commissioner who shall wilfully fail or refuse to comply with the provisions of the act; declaring the rule of construction in case of invalidity of any provision of the act; providing the time when the act shall take effect, and repealing all laws and parts of laws in conflict therewith."

Referred to Committee on Revenue and Taxation.

By Mr. Harman:

H. B. No. 36, A bill to be entitled "An Act to amend Article 4746, Chapter 2, Title 71 of the Revised Statutes of the State of Texas, of 1921, relating to penalty for failure of certain insurance companies to pay losses within thirty days after demand, this amendment providing that fire or fire and marine insurance companies shall be subject to the same penalty and providing that in all cases where a loss occurs and the fire insurance company liable therefor shall fail to pay the same within thirty days after demand therefor such company shall be liable to pay to the holder of such policy, in addition to the amount of the loss, twelve per cent damages on the amount of such loss, together with reasonable attorneys' fee for the prosecution and collection of such loss, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Williamson:

H. B. No. 37, A bill to be entitled "An Act to provide for the employment of State highway patrolmen; defining their rights, powers and duties, and prescribing their compensation; providing for the disposition of fines collected pursuant to arrests or complaints made by said patrolmen, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Brown:

H. B. No. 38, A bill to be entitled "An Act making provision for a better system of schools in the various counties of this State; providing for rural high school districts and elementary school districts; providing the method of forming such districts and providing the manner in which school districts may be included in such rural high school districts and elementary school districts; providing for the necessary taxation and funds to carry out such purposes, and declaring an emergency."

Referred to Committee on Education.

By Mr. Graves:

H. B. No. 39, A bill to be entitled "An Act to prohibit officials of public schools and all other State schools from charging excessive entrance fees, and declaring an emergency."

Referred to Committee on Education.

By Mr. Graves:

H. B. No. 40, A bill to be entitled "An Act to place a tax upon football,

basketball and baseball games, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Bean:

H. B. No. 41, A bill to be entitled "An Act to define and regulate the practice of veterinary medicine, surgery and dentistry; creating a board of veterinary medical examiners for the examining and licensing of veterinary physicians, surgeons and dentists; and prescribing their powers, duties and qualifications; providing for the proper registration of veterinary physicians, surgeons and dentists; and providing for the revocation of their license and fixing suitable penalties for the violation of this act; repealing all laws in conflict herewith."

Referred to Committee on Public Health.

By Mr. McDonald and Mr. Irwin:

H. B. No. 42, A bill to be entitled "An Act to regulate and more definitely prescribe the matter of handling trustees around the penitentiaries and the penitentiary farms, and repeal all laws and parts of laws in conflict with this act."

Referred to Committee on Penitentiaries.

By Mr. Graves:

H. B. No. 43, A bill to be entitled "An Act amending Section 5, Chapter 33, General Laws enacted by the Thirty-fifth Legislature at its Regular Session, establishing a branch of the Agricultural and Mechanical College of Texas at Stephenville, in Erath county, Texas, to be known as John Tarleton Agricultural College; providing that the said John Tarleton Agricultural College shall rank hereafter as a standard four (4) year college, and that no regular high school courses be offered after the scholastic year 1925-1926; providing for the conferring of degrees upon graduates of said college, and declaring an emergency."

Referred to Committee on Education.

By Mr. Graves:

H. B. No. 44, A bill to be entitled "An Act to prohibit any teacher who has not paid his poll tax from teaching in any school in this State that is supported by local or State tax, and declaring an emergency."

Referred to Committee on Education.

By Mr. Smith of Travis (by request):

H. B. No. 45, A bill to be entitled

"An Act to prohibit the operation of domino halls, clubs, places or stands, where fees are charged for playing at any game played with dominoes, without complying with the terms of this act; providing that all persons who may desire to operate such halls, clubs, places or stands shall make application for license to operate the same and providing for method and manner of applying for such license; providing what such application shall contain; providing the method and manner of contesting any application for license; providing for the fees which shall be paid to the State and county when such license is granted; providing for the method and manner of contesting any application for license; providing for the filing of a bond before the granting of a license; providing for the granting of license; providing for the cancellation of any license granted for the violation of this act; providing for penalties for the violation of this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Smith of Travis:

H. B. No. 46, A bill to be entitled "An Act to provide for the levy and collection of an annual ad valorem tax for the general revenue purposes for Confederate pensions and for the available school fund; repealing Articles 7349, 7350, 7351 and 7352 of Title 126, Chapter 1 of the Revised Civil Statutes of 1911, and all other laws and parts of laws in conflict with this act."

Referred to Committee on Revenue and Taxation.

By Mr. Smith of Travis:

H. B. No. 47, A bill to be entitled "An Act amending Articles 7542 and 7569 of Title 126, Chapter 12, Revised Civil Statutes of the State of Texas of 1911, relating to the time property shall be valued for taxation purposes; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Smith of Travis:

H. B. No. 48, A bill to be entitled "An Act to provide for paying interest on pay warrants legally drawn on the general revenue fund when such fund is insufficient to pay such warrants and for paying interest on deficiency warrants and deficiency certificates payable out of each fund, to make an appropri-

ation therefor and to repeal all laws in conflict with this act, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Downs:

H. B. No. 49, A bill to be entitled "An Act making unlawful the making of use of false statements in writing respecting the financial condition, or means, or ability to pay, of the person making such false statement, or causing same to be made, or of any person, firm or corporation in which he is interested, or for whom he is acting, for the purpose of obtaining money, property or credit, or making, acceptance, discount, sale or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars, whether such statements are made directly or indirectly; making such offense a felony and prescribing punishment therefor, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Wester:

H. B. No. 50, A bill to be entitled "An Act creating and incorporating the Klondike Independent School District in Dawson county, Texas, out of territory now composing Common School District No. 26 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Klondike Independent School District shall assume all the obligations and indebtedness of said Common School District No. 26; vesting title to property of said Common School District No. 26 in Klondike Independent School District; providing for an assessor and collector of taxes thereof, and providing for the election and terms of office of trustees thereof, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Wester:

H. B. No. 51, A bill to be entitled "An Act creating and incorporating the Wells Independent School District in Lynn county, Texas, out of territory now composing the Wells Common School District No. 25 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees therefor and defining their powers and authority; authorizing such board of

trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes and a board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said Wells Common School District No. 25, and the assumption of all such obligations and indebtedness by the Wells Independent School District; validating and continuing in force all taxes and bonds that are now in force in said district; providing that the title for all property in said district be divested out of Wells Common School District No. 25 and vested in Wells Independent School District as created by this act; providing for the election and terms of office of the trustees of said district and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict herewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Barker:

H. B. No. 52, A bill to be entitled "An Act to amend Article 788 of the Code of Criminal Procedure, by repealing subdivision 3 thereof."

Referred to Judiciary Committee.

By Mr. Barker:

H. B. No. 53, A bill to be entitled "An Act to amend Article 3691 of the Revised Statutes of the State of Texas, by adding that conviction of a felony shall not disqualify a witness from testifying."

Referred to Judiciary Committee.

By Mr. Barker:

H. B. No. 54, A bill to be entitled "An Act to amend Article 605 of the Revised Statutes of the State of Texas, by adding thereto provisions making it unlawful to issue bonds of any district, or subdivision of a county, unless authorized by the qualified voters thereof; and further, that no bonds shall be issued unless a majority of the persons entitled to vote at said election shall have voted, and a majority of those voting shall be in favor of the issue, and declaring an emergency."

Referred to Judiciary Committee.

HOUSE JOINT RESOLUTION ON
FIRST READING.

The following House joint resolution, introduced today, was laid before the House, read first time and referred to the Committee on Constitutional Amendments:

By Mr. Teer:

H. J. R. No. 1, Relating to the amending of Article 16, Section 58, of the Constitution of the State of Texas; abolishing the Board of Prison Commissioners; providing for the supervision and management of the prison system under such laws as may be provided for by the Legislature.

BILLS RE-REFERRED.

On motion of Mr. Veatch, House bill No. 2 was withdrawn from the Committee on State Affairs and referred to the Committee on Agriculture.

On motion of Mr. Faulk, House bill No. 4 was withdrawn from the Committee on Revenue and Taxation and referred to the Committee on Conservation and Reclamation.

PROVIDING FOR HOUSE JOURNAL.

Mr. Simpson offered the following resolution:

Resolved by the House of Representatives, That one thousand (1000) copies of the House Journal of each day be printed; one hundred to be delivered to the Senate, three copies to be placed on the desk of each member each day, three copies to be delivered to the head of each State department; seventy-five copies to the State Library and the remainder to be left with the Sergeant-at-Arms for distribution under the direction of the Speaker.

The resolution was read second time and was adopted.

TO PROVIDE FOR SUPERINTENDENT OF HALL.

Mr. Sanford offered the following resolution:

Resolved by the House, That the Speaker be authorized to appoint a Superintendent of the Hall, who shall have charge of the general orderly condition of the Hall, the floors and galleries, and in addition shall have charge of the porter force of the House.

The resolution was read second time, and was adopted.

PROVIDING FOR POSTAGE FOR
MEMBERS.

Mr. Rice offered the following resolution:

Resolved, That each member be allowed \$30 for postage stamps and the Sergeant-at-Arms and the Chief Clerk be allowed \$15 each for postage stamps, and the Committee on Appropriations be allowed \$30 for postage stamps, to be paid out of the contingent fund of the House.

Resolved, That the postoffice box rent of the members of the House shall be paid out of the contingent fund of the House, upon approval of the Contingent Expense Committee.

Resolved, That all requisitions for paper and supplies necessary for the preparation of bills, for the enrolling and engrossing rooms, the minute books and blank paper for use of committees, the letterheads, envelopes, etc., to be used by members or employees of the House to be made under the direction of the Committee on Contingent Expenses.

Resolved, That the chairman of the Committee on Contingent Expenses be authorized to rent typewriters for the use of stenographers and Enrolling Clerk and Engrossing Clerk of the House and to purchase typewriter ribbons, the cost of same to be paid out of the contingent fund of the House.

Resolved, That the Sergeant-at-Arms shall be the custodian of all stationery and stationery supplies required by the House; that said supplies be obtained and disposed of and accounted for by the Sergeant-at-Arms as provided by Rule 3, Section 4, of the Rules of the Thirty-third Legislature.

The resolution was read second time.

Mr. Purl offered the following amendment to the resolution:

Amend resolution by adding \$10 for telegrams and telephone calls.

Mr. Young moved to table the amendment, and the motion to table was lost.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—71.

Alexander	Boggs.
of Bastrop.	Brown.
Amsler.	Cade.
Baker of Orange.	Chitwood.
Barron.	Coody.
Bartlett.	Covey.
Bedford.	Cox of Navarro.
Bobbitt.	Cummings.

Dale.	McDougald.
Daniels.	McGill.
Davis of Dallas.	McNatt.
Dielmann.	Montgomery.
Dinkle.	Nicholson.
Dunlap.	Petsch.
Dunn of Hopkins.	Pool.
Faulk.	Pope.
Foster.	Powell.
Frnka.	Purl.
Gray.	Rawlins.
Hall.	Raymer.
Harman.	Renfro.
Harper.	Rowland.
Irwin.	Runge.
Jacks.	Sanford.
Johnson.	Sheats.
Jones.	Smith of Travis.
Jordan.	Sparks.
Kayton.	Stevenson.
Kemble.	Strong.
Kenyon.	Taylor.
Kinnear.	Teer.
Lipscomb.	Tomme.
Loftin.	Wade.
Mankin.	Wells.
Masterson.	Williamson.
Maxwell.	Wilson.
McDonald.	Woodruff.

Nays—60.

Acker.	Laird.
Albritton.	Lane of Hamilton.
Alexander	Lane of Harrison.
of Limestone.	Low.
Atkinson.	McBride.
Baker of Panola.	McFarlane.
Barker.	Merritt.
Bean.	Moore.
Bird.	Parish.
Blount.	Pavlica.
Bryant.	Pearce.
Coffey.	Perdue.
Cox of Lamar.	Poage.
Davis of Wood.	Rice.
DeBerry.	Robinson.
Donnell.	Rogers.
Downs.	Rowell.
Dunn of Falls.	Simpson.
Durham.	Sinks.
Enderby.	Stell.
Fields.	Storey.
Finlay.	Stout.
Graves.	Thompson.
Hagaman.	Veatch.
High.	Walker.
Hollowell.	Wallace.
Hoskins.	Webb.
Jasper.	Westbrook.
Justice.	Wester.
King.	Young.
Kittrell.	

Absent.

Avis.	Bonham.
Bateman.	Conway.

Farrar.	Smith of Nueces.
Florence.	Stautzenberger.
McKean.	Stevens.
Simmons.	

Absent—Excused.

Carter.	Shearer.
Houston.	Smyth.
Hull.	

Question then recurring on the resolution as amended, it was adopted.

PROVIDING FOR EXPERT PROOF-READER.

Mr. Chitwood offered the following resolution:

Resolved by the House, That the Speaker be directed to appoint one expert proofreader for the enrolling room, said proofreader to be an experienced attorney, and that he be paid \$10 per day.

The resolution was read second time.

Mr. Baker of Orange moved the previous question on the resolution, and the motion was not seconded.

Mr. Maxwell moved to table the resolution.

Mr. Westbrook raised a point of order on further consideration of the resolution at this time on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

TO COUNT VOTES FOR GOVERNOR AND LIEUTENANT GOVERNOR.

Mr. Fields offered the following resolution:

H. C. R. No. 1, Providing for committee to count votes for Governor and Lieutenant Governor.

Resolved by the House of Representatives, the Senate concurring, That the Speaker of the House appoint five members of the House of Representatives and the President of the Senate appoint three members of the Senate to count the votes cast in the last general election for Governor and Lieutenant Governor, and to make all necessary arrangements for their inauguration.

The resolution was read second time and was adopted.

RELATING TO THE CONSOLIDATION OF RAILROADS.

The Speaker laid before the House, for consideration at this time, as unfinished business, simple resolution by Mr.

McGill, relating to the consolidation of railroads, with motion by Mr. Kittrell to refer the resolution to the Committee on Common Carriers, pending.

Question recurring on the motion to refer, it prevailed.

RELATING TO INAUGURAL BALL.

Mr. Smith of Travis offered the following resolution:

Resolved by the House of Representatives, That this Hall be tendered to the Inaugural Ball Committee of Austin on the evening of the 20th of January for concert purposes only, with the understanding that the members' desks are not to be disturbed.

Signed—Smith of Travis, Raymer.

The resolution was read second time and was adopted.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 1, "An Act to make an appropriation of the sum of one hundred and twenty-five thousand dollars, or so much thereof as may be necessary, payable out of the general revenue not otherwise appropriated, to pay the mileage and per diem of members and to pay the salaries and per diem of officers and employees of the Thirty-ninth Legislature of the State of Texas, providing for the approval of accounts, and declaring an emergency."

S. B. No. 2, "An Act making an appropriation of the sum of forty thousand dollars (\$40,000), or so much thereof as may be necessary, out of the general revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Thirty-ninth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

REPORT OF THE COMMITTEE ON RULES.

The Speaker laid before the House for consideration at this time the following report:

Austin, Texas, January 15, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your temporary Committee on Rules beg leave to recommend that the

House adopt the Rules of the Thirty-eighth Legislature with the following changes as the permanent Rules of the House for the Thirty-ninth Legislature:

1. Amend Rule 3, Section 4, by substituting "Board of Control" for "Secretary of State" wherever it appears in said section.

2. Amend Rule 8, Section 23, by substituting "Highways and Motor Traffic" for "Roads, Bridges and Ferries."

We earnestly recommend that each member of the House read the Rules through very carefully at the earliest possible time.

We recommend that the Rules as amended be printed as a supplement to the House Journal of today.

Respectfully submitted,

TEER, Chairman,
CHITWOOD,
STOREY,
STOUT,
ROWELL.

Question recurring on the report, it was adopted.

COMMITTEE TO COUNT VOTES FOR GOVERNOR.

The Speaker announced the appointment of the following committee to count the votes for Governor and Lieutenant Governor.

Messrs. Blount, Irwin, Pool, Hall and Hagaman.

EMPLOYEES OF THE HOUSE.

The Speaker announced the appointment of the following porters:

Milton Nobles, E. C. Henderson, James Holland, Thomas Kinchion, Joe Kemble, Rufus Pope, Henry Moore, Isiah Smith.

The Speaker announced the appointment of the following pages:

H. C. Garard, Eugene Hill, Milton Coffey, E. J. Davis, Jerome Wilson, John G. Rogers, Otis Bowers, Homer Hamby, Bill Leonard, Billie Davis, Wayland Ellis, Huard Jones, Jesse Hellums, Buster Vanpelt, Erwin Eilers, George Williams, D. H. Womack, Benny Crites, Carvel Howsley, Tom Burns, Jack Faulkner, Cap Harris, Jr.

(Mr. Hall in the chair.)

MESSAGES FROM THE GOVERNOR.

Mr. John H. Johnson, Assistant Secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House as follows:

Executive Department,

Austin, Texas, January 15, 1925.

To the Members of the Thirty-ninth Legislature.

Gentlemen: Texas is a great State, broad in territory, unsurpassed in natural beauty, rich in tradition, having a history peculiarly her own. Our forefathers won our freedom on the field of battle, and for ten years before she became a State, Texas was one of the recognized Republics of the world. Our history is inspirational. It reads like an epic. Our State is filled with blood-bought spots and sacred shrines. Everything is here that is conducive to the striking of poetic fire from the muses and the musical writers.

It is universally known that the loyalty, fidelity, and patriotism of a people finds the highest expression in song. A patriot once said, "Let me write the songs of a people and I care not who makes their laws." Commensurate with this thought, nearly all of the empires and republics of the world have a national song. France has her "Marseillaise," Germany her "Watch on the Rhine," England her "God Save the King," Italy her "Royal March," Mexico her "La Paloma," and Spain her "Himno de Riago." Just as the people of these nations are inspired by the music of their adopted anthems, so do the liberty-loving citizens of the United States thrill to the music of the "Star-Spangled Banner."

Texas should have an adopted State song. Too long has this matter been delayed. Long ago we should have had a State song by and through which our people could voice in unison the deathless history, lofty ideals, and glorious destiny of our commonwealth. For some years it was my thought that every loyal and patriotic Texan would readily acknowledge the wisdom and significance of the adoption through our Legislature of a State song that would properly symbolize our matchless history and our State's growth and glory.

For the purpose of giving impetus to such a movement, and with a hope of obtaining the most beautiful and appropriate State song possible, I offered, with the aid of a few generous friends, during the early months of last year, a prize of one thousand dollars to the person who would compose and set to music a song that would meet with the approval of a specially appointed music committee and that would thereafter be adopted as a State song by the Legislature at its next session, the prize to be payable only upon condition of the

acceptance of the song by the committee, and its later adoption as a Texas State song by the Thirty-ninth Legislature.

Responding to this published notice, two hundred eighty-six songs and poems were submitted. A number of them were from other States than Texas, and a few from foreign countries—one from Italy and one from Brazil. For the purpose of selecting the best song from this gathering, I named a committee of sixteen, some of whom were supposed to know all things about all music, some were supposed to know some things about some music, and some were not supposed to know anything about any kind of music, but who knew a world of things about things generally, and knew how a State song ought to sound. This music committee so selected met some weeks ago in Austin, and after two days deliberation, selected a song named "Texas, Our Texas," written by W. J. Marsh and Mrs. Gladys Yokum Wright of Fort Worth. The original song consisted of three verses. There were some objections, originally, to certain lines in the second verse of the song, and the committee, therefore, eliminated the second verse, and adopted as a State song the first and third verses of the song, as first submitted, and designated these two verses as a State song. These two verses, set to music, are attached hereto, and marked Exhibit A. I am also sending to the Legislature, for its consideration, the entire three verses, the second verse having been rewritten by the authors since it was first submitted. The three verses, constituting the entire song are as follows:

TEXAS, OUR TEXAS.

Texas, Our Texas!

All hail the mighty State!

Texas, Our Texas!

So wonderful—so great!

Largest and grandest,

Withstanding every test;

O Empire, wide and glorious,

You stand supremely blest.

Chorus:

God bless you, Texas,

And keep you brave and strong,

That you may grow in power and worth

Throughout the ages long.

Texas, O Texas!

Your free-born Single Star

Sends out her radiance

To nations near and far.

Emblem of Freedom!

It sets our hearts aglow
With thoughts of San Jacinto
And glorious Alamo.

Chorus:

Texas, dear Texas!
From tyrant grip now free,
Shine forth in splendor
Your Star of Destiny!
Mother of Heroes!
We come, your children true,
Proclaiming our Allegiance—
Our Faith—Our Love for you!

Chorus:

The authors insisted that the three verses should be adopted as a State song in preference to the two verses, and I, therefore, submit the three verses to the Legislature for its consideration.

I heartily and most sincerely recommend that the Legislature, at this time, designate a State song. If the one herein submitted meets with your approval, it is thought by me that the State will have a song that will find a responsive echo in the hearts of the people of Texas.

Respectfully submitted,
PAT M. NEFF,
Governor.

Executive Department,

Austin, Texas, January 15, 1925.

To the Members of the Thirty-ninth Legislature.

Gentlemen: I hereby transmit to you the treaty agreed upon by the Commissioners from Texas and New Mexico, approved by the representative of the United States, relative to the division of the water of the Pecos River, in which matter, by my appointment, the State of Texas was represented by the Hon. R. E. Thomason of El Paso, Texas.

In keeping with the resolution heretofore passed by the Legislature of the State of Texas, it was agreed that if a treaty or compact, as here presented, was agreed upon by representatives of the two States, said compact should be submitted to the Governors of the respective States, and by them submitted to the Legislature for ratification. In keeping with that provision, I transmit this compact to you for your consideration.

Respectfully,
PAT M. NEFF,
Governor.

PECOS RIVER COMPACT.

The State of Texas and the State of New Mexico having resolved to enter into a compact, under the acts of their respective Legislatures, have, through their Governors, appointed as their commissioners R. E. Thomason for the State of Texas, and Richard H. Hanna for the State of New Mexico, who, after negotiations participated in by C. T. Pease, appointed by the Secretary of the Interior of the United States, as a representative of the Bureau of Reclamation, have agreed upon the following articles:

Article I.

Present rights to the beneficial use of the water of the Pecos River and its tributaries are unimpaired by this compact, the major purposes of which are to provide for the equitable division and apportionment of the unappropriated and flood waters of the Pecos River system; to promote interstate comity; to remove causes of present and future controversies and to secure the expeditious agricultural development of the Pecos River Basin by the conservation and economical distribution of the waters therein.

Article II.

In this compact:

(a) The State of New Mexico and the State of Texas are designated respectively as "New Mexico" and "Texas" and these terms include the citizens and corporations of each State.

(b) The term "Pecos River System" means the Pecos River and all of its tributaries, including springs and swamps, from its sources in New Mexico to the Kansas City, Mexico & Orient Railroad as now constructed between the towns of Alpine and Sherwood, in Texas.

(c) The term "Pecos River Basin" means all of the drainage area of the Pecos River system.

(d) The term "Upper Basin" means that part of the Pecos River Basin above and north from a due east and west line crossing the Pecos River on the boundary between Townships Six (6) and Seven (7) North, Range Twenty-two (22) East of the New Mexico Principal Meridian.

(e) The term "Middle Basin" means that part of the Pecos River Basin below and south from a prolongation of the boundary line between Townships Six (6) and Seven (7) North, Range

Twenty-two (22) East of the New Mexico Principal Meridian to the Texas-New Mexico State line.

(f) The term "Lower Basin" means that part of the Pecos River Basin within the State of Texas lying above and northwest from the Kansas City, Mexico & Orient Railroad.

(g) The term "domestic use" shall include the use of water for household, stock, municipal, milling, industrial, and other like purposes.

(h) The term "Carlsbad Project" means certain tracts of land in Townships Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), and Twenty-six (26) South, Ranges Twenty-six (26), Twenty-seven (27), Twenty-eight (28), and Twenty-nine (29), East of the New Mexico Principal Meridian, and all reservoirs, dams, canals, drains, and other works, constructed or that may hereafter be constructed, by the United States for the reclamation, use and benefit thereof.

Article III.

The right to appropriate and use for irrigation and domestic purposes the natural flow of the Pecos River system in the Upper Basin shall not be limited or abridged by this compact but no permit or permits for the construction of any additional storage reservoir or reservoirs or for the enlargement of any existing reservoir within the Upper Basin, having an aggregate capacity or capacities of more than five thousand (5,000) acre feet, shall be granted by the State of New Mexico prior to the first day of January, 1940.

Article IV.

Within the Middle Basin, New Mexico shall have in perpetuity indefeasible rights in the waters of the Pecos River system for the following purposes:

1. To divert and use from the natural flow of the Pecos River and from storage reservoirs, or both, sufficient water, whenever available, for all domestic purposes and the irrigation of seventy-six thousand (76,000) acres of land.

2. To construct, maintain and operate reservoirs on the Pecos River, at such points as it may determine to be most advantageous and feasible for the conservation (including hold-over storage), regulation and control of such quantities of water as it deems necessary for the irrigation of twenty-five

thousand (25,000) acres of land included in the Carlsbad Project and for the irrigation of ten thousand (10,000) acres of land on the Fort Sumner project in DeBaca county.

3. To construct, maintain and operate a reservoir of not more than five thousand (5,000) acre feet capacity at such point on the Penasco River as it may select for the irrigation of lands in the vicinity of the town of Hope, Eddy county, New Mexico.

Article V.

Texas shall at all times, subject to the provisions of Articles III, IV and IX of this compact, have the right:

1. To divert all of the natural flow of the Pecos River system in the Lower Basin for domestic and agricultural purposes.

2. To build, maintain and operate a storage reservoir or reservoirs at or below what is commonly known as the Red Bluff Reservoir site, in Eddy county, New Mexico, for the use and benefit of forty thousand (40,000) acres of land in Loving, Reeves, Ward, Crane and Pecos counties, Texas, and to store any surplus waters to which Texas may be entitled, and to acquire by purchase, prescription or the exercise of eminent domain, such rights of way, easements, or lands, as may be necessary for the construction, maintenance and operation of said reservoir; provided, that said reservoir shall be constructed and in operation on or before the first day of January, 1940, and, provided further, that the construction, maintenance and operation of said reservoir shall not vest in Texas any prior, preferred or superior servitude upon or claim or right to the waters of the Pecos River system in New Mexico.

Article VI.

All surplus waters flowing in the Pecos River within the Middle and Lower Basins, over and above that required for the adequate and proper irrigation of seventy-six thousand (76,000) acres of land in the Middle Basin and forty thousand (40,000) acres of land in the Lower Basin, shall be divided equally between the signatory States. All permits issued by either New Mexico or Texas, prior to January 1, 1940, for the use of such surplus waters shall specifically state that the rights granted by said permits are and shall be subservient to prior rights for seventy-six thousand (76,000) acres of land in the Mid-

dle Basin and forty thousand (40,000) acres of land in the Lower Basin.

Article VII.

1. Texas and New Mexico, at their joint expense, shall maintain a stream gauging station upon the Pecos River at or near Malaga, Eddy county, New Mexico, for the purpose of ascertaining the amount of surplus water flowing in said river. The location of said gauging station may, by mutual consent, be changed from year to year as conditions of the river may require.

2. The State Engineer of New Mexico and the Board of Water Engineers for Texas shall make provisions for the co-operative gauging of and the details of operating said station and for the exchange and publication of records and data relative to the discharge of the river at said station.

Article VIII.

The use of any impounded water of the Pecos River system for the generation of electrical power shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent the use for such dominant purposes.

Article IX.

Notwithstanding any limitations or restrictions, either expressed or implied, in this compact upon the area to be irrigated in the Middle Basin, New Mexico shall have the right on and after January 1, 1940, to extend and increase the irrigated area within the Middle Basin, over and above seventy-six thousand (76,000) acres, one-fifth (1-5) of an acre:

(1) For each and every acre foot that the aggregate effective storage capacity of all reservoirs, now or hereafter constructed for the use of the Lower Basin shall be less than two hundred and fifty thousand (250,000) acre feet.

(2) For each and every acre foot of the original capacity or capacities of any and all reservoirs constructed for the use and benefit of the Lower Basin that have been or may be abandoned or unused for a period of five (5) years, or longer.

Article X.

Nothing in this compact shall be construed as affecting the rights of the United States of America in the waters of the Pecos River system or in the Carlsbad Project.

Article XI.

It shall be the duty of the State Engineer of New Mexico and the Board of Water Engineers for Texas to supervise the carrying out of the provisions of this compact, and they may, from time to time, formulate uniform rules and regulations for that purpose, which, when promulgated by them, shall be binding until amended or until terminated by written notice by one to the other.

Article XII.

Whenever any official of either State is designated to perform any duty under this compact, such designation shall include the State official or officials upon whom the duties now performed by such designated official or officials may hereafter devolve.

Article XIII.

Should any claim or controversy arise between the signatory States: (a) with respect to the waters of the Pecos River system not covered by the terms of this compact; (b) over the meaning or performance of any of the terms of this compact; (c) as to the allocation of the burdens incident to the performance of any article of this compact; or (d) as to the construction, maintenance or operation of storage works within New Mexico for the use and benefit of Texas, the Governors of the signatory States, upon the request of either of them, shall forthwith appoint commissioners with power to consider and adjust such claim or controversy, subject to ratification by the Legislatures of New Mexico and Texas.

Article XIV.

Nothing in this compact shall be construed to limit or prevent either State or the United States from instituting or maintaining any action or proceeding, legal or equitable, for the protection of any right under this compact or the enforcement of any of its provisions.

Article XV.

This compact may be modified or terminated at any time by mutual consent of the signatory States. In the event of such termination all rights established under it shall continue unimpaired.

Article XVI.

This compact shall become binding and operative when approved by the

Legislatures of each of the signatory States and consented to by the Congress of the United States. Notice of approval by the Legislatures shall be given by the Governor of each State to the Governor of the other State and to the President of the United States, and the President of the United States is requested to give notice to the signatory States of consent by the Congress of the United States.

In witness whereof, the commissioners have signed this compact in triplicate originals, one of which shall be deposited with the Department of the Interior of the United States and one with the Governor of each of the signatory States.

Done at El Paso, Texas, this 19th day of....., A. D. 1924.

RICHARD H. HANNA,
Commissioner for New Mexico.

R. E. THOMASON,
Commissioner for Texas.

Approved:

C. T. PEASE.

ANNIVERSARY OF ROBERT E. LEE.

Mr. Kittrell, by unanimous consent, offered the following resolution:

Whereas, Monday, the 19th day of January, will be the 118th anniversary of the birth of that great son of the South, Robert Edward Lee; and

Whereas, It is meet and fit that the anniversary of the natal day of such a man should be fittingly observed; therefore, be it

Resolved, That there be held on the night of January 19, at 8 o'clock p. m., a session of the House to be devoted to paying tribute to the memory of that hero whose name is enshrined in every Southern heart and, who, with his own hand, wrote his own passport to immortality.

Signed—Kittrell, Maxwell, Brown, Lane of Hamilton, Irwin, Sinks and Hall.

The resolution was read second time and was adopted.

ADJOURNMENT.

On motion of Mr. Loftin, the House, at 4 o'clock p. m., adjourned until 2 o'clock p. m. tomorrow.

In Memory
of
Hon. O. P. Basford

Mr. Durham offered the following resolution:

Whereas, God in His wisdom, has called to Himself a faithful servant in the person of our mutual friend, O. P. Basford; and,

Whereas, Mr. Basford has served this House as its Reading Clerk through nine sessions of the Legislature, and served it ably, faithfully and efficiently, and because of his long service as Reading Clerk, his splendid knowledge of parliamentary law and usage, his courteous and genial disposition and his gentlemanly conduct at all times, will be greatly and sadly missed by the membership of this body; therefore, be it

Resolved, That in the sudden and untimely death of Mr. Basford the House of Representatives of Texas has lost a splendid official, who was kind, courteous and obliging; the State has lost a good citizen; a wife, a kind husband; and children, a noble father; and be it

Resolved, That the members of this, the Thirty-ninth Legislature, extend to the bereaved family our heartfelt sympathy and condolence in the loss of the kind husband and father, and commend them to the favor of an allwise Providence at this time of their sorrow; and be it further

Resolved, That these resolutions be adopted by a rising vote of this body and that they be printed in the House Journal of this date.

DURHAM,
WADE.

The resolution was read second time and was unanimously adopted.